

REMARKS

Applicants have carefully reviewed the Office Action dated October 22, 2003. Applicants have amended Claims 1, 3, 10, and 12 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claim 1-8, 10-17, and 19-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Palmer et al.* in view of *Watanabe*. This rejection is respectfully traversed with respect to the amended claims.

As set forth in Applicants previous response, Applicants' present inventive concept is directed toward a system that is operable to allow for reception of an audio sound track from a piece of music or the such received over the web as streaming audio and provide the ability to allow the operation of routing a receiving user to a location on the network and display information received from that location on the network. To facilitate this, an audio indicator is "embedded" within the sound track. Upon receipt of the audio, this embedded code is extracted and utilized to facilitate a connection to the network. It is noted that this is all conducted over a single network, such that two completely different networks are not required.

The Examiner has commented that networks nodes must be on a common network. Applicants disagree with this to the extent that different networks can exist which cannot communicate with each other. In order to be on a common network, all the nodes must be able to communicate with each other. For example, one can have two different buildings with two "networks" that are separate and distinct. The reason that they are separate and distinct is that the network traffic does not transfer from one network to another. If a given node on one network were to communicate with another node on that network, it would merely have to place the address of that desired destination node on the network with packets of information. These packets of information would then be essentially received by all nodes on that network, in an Ethernet environment. However, if another network were provided of the same type, one node on the first network could not communicate with a node on the second network, since they are not on a common network. To facilitate this in some systems, "bridge networks" are provided which

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create a bridge from one network to another. This is basically what a router does in the internet. However, for a bridge network to work, there must be an addressing scheme that allows the addresses to be transferred over the bridge network. This then makes it a "common" network. Typically, a "domain" is defined wherein all of the nodes in a given domain are virtually on the same network. The bridge or router allows data transfer between sub-networks. However, once all these sub-networks are joined with bridges, they become a common network. Applicants have earlier amended the present claims to define the audio information as being received from a node on the common network, that is a network common to the user node and to the destination node to which the user node is connected by the unique code in addition to being common with the content provider node. Therefore, there is a distinction between a first network and an independent second network, except for the *Palmer*.

With respect to *Palmer* and *Watanabe*, they both require information to be received from one network independent of the network on which the user computer resides such that the user computer is connected to the destination location on the network. In the present application, one can envision that an internet content provider can provide audio over the network, and this act of streaming audio to the user's computer would result in the user's computer automatically "jumping" to a given site. This is very similar to what is now referred to as "pop up" windows. However, rather than utilizing HTML codes, there would be an audio code that was received that caused the "jump" to a desired location. Note that the desired location is desired by the content provider and not by the user. Although *Palmer* does provide some control information that will do re-directing as well as *Watanabe*, neither of these references provide this on the same network as the user computer and the jump-to location.

Neither *Palmer* nor *Watanabe*, taken singularly or in combination, disclose the concept of multiple nodes operating on a common network wherein a content provider node sends to a user node a streamed audio signal with the streamed audio signal having embedded therein a unique audio code. This audio code is within the bandwidth of the hearing of a human. The reason for this is that the reproducing apparatus does not have to be specially manufactured. If the audio stream can be reproduced, the unique code can be reproduced. Neither *Palmer* nor *Watanabe* disclose, after receiving such an audio signal from the content provider node, detecting the unique code in order to connect the user node to another node on the same network. As such, the originator of the audio content can force

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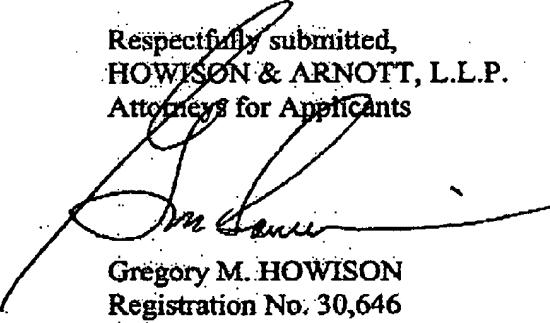
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the user to another location on the network. Interestingly enough, it is not necessarily the node that originated the content but, rather, is the entity that created the content, that forces the user node to another location on the same network. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. §103 rejection with respect to Claims 1-8, 10-17 and 19-20.

Applicants note with appreciation the Examiner's indication that Claims 9 and 18 would be allowed if rewritten in independent form including all the limitations of the base claim and any intervening claims. However, Applicants believe that the independent claims from which they depend are now in condition for allowance, therefore, such amendments have not been made.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/File No. PHLY-24,670 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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